

OGC 73-0569

3 April 1973

MEMORANDUM FOR: Chief, Historical Staff

SUBJECT : Updating the Blue Pamphlet

I have only a few suggestions for consideration for the new printing of the blue pamphlet "Central Intelligence Agency". (Some of the language which these suggestions would change may have been contributed by me.)

a. The reference to the "Executive Letter" in the fifth line of page 1 technically is incorrect. The Code of Federal Regulations, in which that document is published, refers to it as the "Presidential Directive of January 22, 1946."

b. The paragraph headed "Mission and Functions" on page 1 indicates that the responsibilities of the Agency derive from the National Security Act and the CIA Act. I would modify this in two regards. Some responsibilities of the Agency are based on other statutes and the CIA Act essentially does not impose responsibilities but merely confers housekeeping authorities. I would change the first sentence of that paragraph as follows:

The principle responsibilities of the CIA derive from the National Security Act of 1947, as amended (50 U.S.C. 402, 403).

c. Items (3), (5) and (6) on pages 2-3 could be omitted. Item (3) is only a partial statement of section 3 of the CIA Act; item (5) is a minor matter, perhaps inappropriate to a summary of major aspects of CIA law; and item (6) refers to authorizations the Agency no longer uses.

d. Whether the paragraph "Policy on Public Disclosure" on page 5 continues to represent Agency policy, I do not know. Perhaps this should be checked with Angus Thuermer.

e. With respect to the "Accountability" paragraph, also on page 5, I query whether it is desirable to so specifically connect the Agency with the President. I have in mind here the possibility that in some circumstances it might be desirable to be able to partially protect the President by citing that it is the National Security Council which directs the Agency. Also in that paragraph, I wonder if the word "privy" accurately refers to the NSC-CIA relationship. Perhaps the paragraph could be revised:

As provided by the National Security Act, the Central Intelligence Agency operates under the direction of the National Security Council. In addition, the Office of Management and Budget exercises control on fiscal and management matters and the President's Foreign Intelligence Advisory Board reviews the foreign intelligence activities of the government, including those of CIA, and advises the President

Also in the "Accountability" paragraph, the reference to the Executive Order fails to include the number and, I believe, inaccurately uses the term "defined" with reference to the Board's function. That sentence could be revised:

The Board's functions, prescribed by Executive Order 11460 of 20 March 1969, are to:

f. In the last sentence of the "Accountability" paragraph on page 6, the use of the terms "responsible" and "responsibilities" in the same sentence seems awkward. The language could be modified:

... and is responsible for the performance and operations of the Agency, as well as those of his position....



Associate General Counsel

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